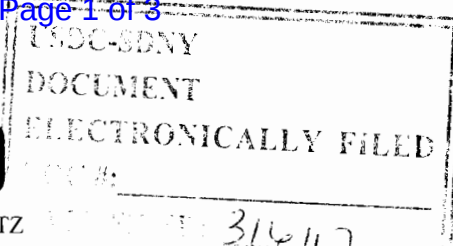




# MEMO ENDORSED

MATTHEW L. SCHWARTZ  
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March 6, 2017

## BY ELECTRONIC MAIL

Hon. Ronnie Abrams  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Application granted. Mr. Archer will report daily to his Pretrial Services Officer while he is away and will surrender his young children's passports to Pretrial Services while he is out of the country. The attached exhibit will be filed under seal as it contains private travel information.

SO ORDERED.

  
Ronnie Abrams, U.S.D.J.  
March 6, 2017

**Re: *United States v. Jason Galanis, et al.*, S1 16 Cr. 371 (RA)**

Dear Judge Abrams:

I represent Devon Archer, one of the defendants in the above-referenced case. I write to respectfully request the Court's permission for Mr. Archer to take a business trip to Russia and England. Your Honor has seven times previously granted Mr. Archer permission to travel internationally on business, which he has done without incident on each occasion, including to Italy, England, Spain, Latvia, Lithuania, Russia, Vietnam, China, Malaysia, Singapore, and the Philippines. As before, the Court's Pretrial Services Office consents to this request, but the Government objects.

The proposed trip would be from March 14-21, to Moscow and London, for meetings in connection with a company in which Mr. Archer is involved, including with the controlling shareholder, as well as to discuss potential new business. As usual, Mr. Archer has provided an itinerary to his Pretrial Services Officer, who as noted consents to this request. A copy of Mr. Archer's proposed flight and lodging information is attached as Exhibit A, which we respectfully request to be filed under seal.

On seven prior occasions, the Court has permitted Mr. Archer to travel internationally for business. On each occasion, Mr. Archer returned on time and without incident, usually after surrendering his wife's and three young children's passports to Pretrial Services for the duration of his travel. (On one prior occasion, Your Honor permitted Mr. Archer's wife to travel with him, and on another occasion, Dr. Archer had a separate international trip planned at the same time as Mr. Archer's and so Your Honor permitted her to keep her passport). In addition, Mr. Archer has reported to Pretrial Services daily while away, and has executed and provided to the United States Attorney's Office an open-ended waiver of extradition, in the form requested by the Government, which covers not only his business trips but the entire duration of proceedings in this case. Specifically:

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# BSF

- On June 13, 2016, Your Honor permitted Mr. Archer to travel on business to Italy.
- On July 26, 2016, Your Honor permitted Mr. Archer and his wife, Dr. Archer, to travel on business to Latvia.
- On September 9, 2016, Your Honor permitted Mr. Archer to travel on business to China.
- On October 17, 2016, Your Honor permitted Mr. Archer to travel on business to England and Lithuania. On October 21, 2016, Your Honor further granted permission for Mr. Archer to modify his itinerary to include business travel to Russia.
- On November 28, 2016, Your Honor permitted Mr. Archer to travel on business to England and Spain.
- On January 4, 2017, Your Honor permitted Mr. Archer to travel on business to Vietnam and China. On January 17, 2017, Your Honor further granted permission for Mr. Archer to modify his itinerary to include travel to the United Kingdom.
- On February 16, 2017, Your Honor permitted Mr. Archer to travel on business to Singapore, Malaysia, and the Philippines. Although Mr. Archer's wife did not travel with him, she was permitted to retain her passport because she had a separate international trip planned for the same time.

In short, Mr. Archer has proven that he is no risk of flight. As we have previously explained, the evidence that Mr. Archer is not a flight risk is not limited to these seven prior international trips. In the interests of judicial economy, we will not repeat all of those reasons here, and respectfully refer the Court to our prior correspondence on this issue. *See* ECF Nos. 41, 62, 78, 83, 84, 98, 111, 122, and 148.

As before, if the Court permits him to travel, Mr. Archer will report daily to his Pretrial Services Officer while he is away. In the past, Mr. Archer's wife and his three young children have generally surrendered their passports to Pretrial Services while he was out of the country, except that once before (in July 2016), Your Honor permitted Dr. Archer to travel with her husband, and last month, Dr. Archer had a separate international trip planned at the same time as Mr. Archer, as so she was allowed to keep her passport. On those occasions, Pretrial Services held the passports of their three young children while the Archers were abroad. On this trip, Mr. Archer will travel to Moscow alone, but his wife and oldest son are scheduled to meet him in London because the Archer family is close to the family of the controlling shareholder with whom Mr. Archer will be meeting in London. Accordingly, we respectfully request that (in addition to reporting daily) Mr. Archer be required to surrender only his two youngest children's passports while he is out of the country, and that he be permitted to travel to Russia and England on business from March 14-21, 2017.

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# BSF

Thank you for your consideration of this request.

Respectfully,

/s/ Matthew L. Schwartz  
Matthew L. Schwartz

cc: BY ELECTRONIC MAIL

AUSAS Brian Blais, Aimee Hector, and Rebecca Mermelstein  
U.S. Pretrial Services Officer Andrew R. Kessler-Cleary

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